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6 Attorneys for Plaintiffs

7 **IN THE UNITED STATES DISTRICT COURT**
 8 **IN AND FOR NEVADA**

9 K.A., a minor, by and through his mother
 10 and natural guardian, JASMYNE
 11 BORDEN and as heir to JOE MICHAEL
 12 ASHDOWN, deceased; JASMYNE
 13 BORDEN, as heir to JOE MICHAEL
 14 ASHDOWN; and ESTATE OF JOE
 15 MICHAEL ASHDOWN, deceased, by and
 16 through JASMYNE BORDEN, widow of
 17 Joe Michael Ashdown and executor of the
 Estate of Joe Michael Ashdown, deceased,

18 Plaintiffs,
 19 v.
 20 NEWMONT USA LIMITED, a Delaware
 21 corporation, and DOES 1-10,

22 Defendant.

**JOINT MOTION AND ORDER
 OF DISMISSAL WITH PREJUDICE
 OF JASMYNE BORDEN,
 INDIVIDUALLY**

CIVIL NO.: 3:13-CV-278-RCJ-WGC

JUDGE: ROBERT C. JONES

MAGISTRATE: WILLIAM G. COBB

23 Plaintiffs, by and through their counsel of record, Randall K. Edwards, PLLC, and
 24 Defendant, by and through its counsel, Bullard, Brown & Beal, LLP, hereby stipulate and
 25 jointly move that all individual claims brought by JASMYNE BORDEN, as heir to JOE
 26 MICHAEL ASHDOWN only, be dismissed with prejudice, and that the caption of the case so
 27 reflect such dismissal.

28 It is further stipulated that this dismissal shall not apply to the claims of 1) K.A., a
 minor, by and through his mother and natural guardian, JASMYNE BORDEN, and as heir to JOE
 MICHAEL ASHDOWN, deceased; and/ or 2) ESTATE OF JOE MICHAEL ASHDOWN,

1 deceased, by and through JASMYNE BORDEN, Executor of the Estate of Joe Michael Ashdown,
2 deceased.

3 The parties jointly move and stipulate that only those claims brought individually by
4 JASMYNE BORDEN, as heir to JOE MICHAEL ASHDOWN, be dismissed hereby.

5 RANDALL K. EDWARDS, PLLC

6 */s/ Randall K. Edwards*
7 By: Randall K. Edwards
8 Attorneys for Plaintiffs

9 BULLARD, BROWN & BEAL, LLP

10 */s/ Jeremy E. Beal*
11 By: Jeremy E. Beal
12 Attorneys for Defendants

ORDER

The Court, having reviewed the Joint Motion that all individual claims brought by JASMYNE BORDEN, as heir to JOE MICHAEL ASHDOWN only, be dismissed with prejudice, and that the caption of the case so reflect such dismissal, and good cause appearing, said motion is GRANTED.

Accordingly, it is hereby ordered that all individual claims brought by JASMYNE BORDEN, as heir to JOE MICHAEL ASHDOWN only, be, and the same hereby are, DISMISSED WITH PREJUDICE, and that the caption of the case shall hereafter reflect such dismissal.

It is further ordered that this dismissal shall not apply to any of the following:

- 1) The claims of K.A., a minor, by and through his mother and natural guardian, JASMYNE BORDEN and as heir to JOE MICHAEL ASHDOWN, deceased; and/or
- 2) The claims of the ESTATE OF JOE MICHAEL ASHDOWN, deceased, by and through JASMYNE BORDEN, Executor of the Estate of Joe Michael Ashdown, deceased.

Only those claims brought individually by JASMYNE BORDEN, as heir to JOE MICHAEL ASHDOWN, are dismissed hereby.

IT IS SO ORDERED.

Dated this 15th day of July, 2014.


ROBERT C. JONES